

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ANNE DE LACOUR, ANDREA WRIGHT, and
LOREE MORAN individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

COLGATE-PALMOLIVE CO., and TOM'S OF
MAINE INC.

Defendants.

Civil Action No. 1:16-CV-08364
(RA)

**DECLARATION OF NEAL J. DECKANT IN FURTHER SUPPORT OF PLAINTIFFS'
MOTION FOR CLASS CERTIFICATION, APPOINTMENT OF CLASS
REPRESENTATIVES, AND APPOINTMENT OF CLASS COUNSEL**

I, Neal J. Deckant, declare as follows:

1. I am an attorney at law licensed to practice in the State of New York. I am a member of the bar of this Court, and I am an attorney at Bursor & Fisher, P.A., counsel of record for Plaintiffs Anne de Lacour, Andrea Wright, and Loree Moran ("Plaintiffs"). I make this declaration in support of Plaintiffs' motion for class certification. I have personal knowledge of the facts set forth in this declaration, and, if called as a witness, could and would competently testify thereto under oath.

2. Attached hereto as Exhibit 1 is a full list of products included in the putative class ("Tom's Products" or "Products").

3. Attached hereto as Exhibit 2 are true and correct copies of excerpts from the transcript of the deposition of JoAnne Murphy, Colgate-Palmolive Co.'s Director of Shopper Marketing.

4. Attached hereto as Exhibit 3 is a true and correct copy of a presentation titled *Goodness Report* dated January 2017 and bearing Bates numbers COLGATETOMS00011847.

5. Attached hereto as Exhibit 4 is a true and correct copy of a presentation titled *Tom's of Maine – Measuring the Brand's Equity* dated May 2015 and bearing Bates number COLGATETOMS00013657.

6. Attached hereto as Exhibit 5 is a true and correct copy of an excerpt from the transcript of the deposition of Colin B. Weir.

7. I declare under penalty of perjury under the laws of the United States and the State of New York that the foregoing is true and correct. Executed on November 23, 2018 at New York, New York.



Neal J. Deckant